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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/052,692	01/19/2002	Catherine Lin-Hendel	Lin-Hendel - Auto Scroll	3788
35070	7590	06/20/2007		
ANATOLY S. WEISER 3525 DEL MAR HEIGHTS ROAD, #295 SAN DIEGO, CA 92130			EXAMINER BAYERL, RAYMOND J	
			ART UNIT	PAPER NUMBER
			2174	
			MAIL DATE	DELIVERY MODE
			06/20/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/052,692

**Applicant(s)**

LIN-HENDEL, CATHERINE

**Examiner**

Raymond J. Bayerl

**Art Unit**

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 - 39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 - 5, 7 - 13, 15 - 19, 21, 23, 27 - 31, 33, 36 - 39 is/are rejected.
- 7) ☒ Claim(s) 6, 14, 20, 22, 24 - 26, 32, 34 - 35 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 April 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1 – 5, 7 – 13, 15 – 19, 21, 23, 27 – 31, 33, 36 - 39 are rejected under 35 U.S.C. 102(b) as being anticipated by Berstis et al ("Berstis"; U.S. Patent Number 5,874,936).

As per independent claim 1, Berstis discloses a "method of automatically scrolling" comprising the steps of:

"placing a cursor on a respective end of a floating border structure" (Figure 2 item 40 & 42); and

"in direct response to step (a), automatically scrolling through content extending beyond a display window into a field of view of the display window in a predetermined direction designated by the end" (col. 2 lines 7-9).

In Berstis, when the cursor 38 is positioned to be placed at one side of a screen such as item 32, the contents of the window are automatically scrolled in the selected direction (Abstract). This means that "the step of automatically scrolling continues to be performed without user input" beyond the positioning commands, which bear analogy to the way a mouse might move a pointer on a screen. Once the cursor in Berstis is placed at the boundary, the scrolling is then automatically performed, and it "continues" as a result.

The control "structure" enacted at a Berstis boundary of the window is both "floating" (it is not directly seen in the window image, and thus a superimposition) and

related to a "border", beyond which an attempt at cursor positioning merely results in continued scrolling of the window. Thus, the scrolling occurs as a "direct response" to the entries that bring the cursor to the edge 40 or 42. The "end" portions of this control are at the two opposite sides of the window 32 screen.

Regarding claim 2 (see also claim 12), Berstis's automatic scrolling upon reaching a boundary is a teaching that "the floating border structure has a top end and a bottom end" (col. 2 line 66 - col. 3 line 1 & Figure 2 item 32-36). In Figure 2, items 32-36 have floating border structures on the top and bottom of the screen, since a vertical scroll operation is possible. The two directions of scrolling; "down" and "up" at the "top end" and "bottom end" are the directions in which Berstis's content would appear to move.

Concerning claim 3 (see also claim 13), Berstis discloses that the floating border structure has a "right-side end and a left-side end" (col. 2 line 66- col. 3 line 1 & Figure 2 • item 32-36), and thus, the "right-side end" placement of the cursor will result in scrolling to the "left", and "left-side end" placement will scroll the contents to the "right".

As per claims 4, 18, in Berstis, "moving the cursor away from the respective end" will result in ordinary cursor movement within a window such as 32. Thus, "directly in response to the step (c), automatically stopping the step (b)" takes place upon such cursor relocation instructions being entered.

In regard to claim 5, Berstis discloses that it was known in the art to perform a Page Down (PgDn) and Page Up (PgUp) operation during scrolling (see col 1, lines 36 -

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40), and thus, Berstis teaches that "border structure"-based scrolling will result in "pausing the step (b)" "if a full-screen shift of the content has occurred".

In regard to claim 7, Berstis discloses the display window is a "browser window, and the content is a page" (col. 2 lines 63-65): Contents may include representations of files, folders, documents, databases, and spreadsheets, etc. Alternatively, the window 12 may also be said to display information which may include text, video images, graphic data, database records or spreadsheet cells.

In regards to claims 8, 15, 16, Berstis states "the floating border structure is" both of "a floating line or floating box", as in the linear regions at the edge of a window at which cursor positioning results in scrolling (Figure 1 item 20 & Figure 2 items 40 and 42).

As in claim 9, Berstis performs "one of" the list of alternative items when "activating a user control" (the cursor 38) will "begin automatic scrolling".

Independent claim 10 is similar in many respects to claim 1, and is generally rejected for reasons similar to those given above. The edge 40 or 42 on the Berstis screen also anticipates "at least one direction indicator of a plurality of direction indicators", being at one direction relative to the content in the window. When reached, a step of "beginning automatically scrolling through content" occurs, and one that "continues to be performed without user input" beyond "placing the cursor".

As per independent claim 11, which is also generally similar to claim 1, the 4 edges of the rectangular Berstis window form pairs to read upon the "first floating border

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structure in a vertical plane" and "a second floating border structure oriented in a horizontal plane".

Concerning claim 17, the implementation of Page mode scrolling in Berstis will result in "automatic scrolling" that "is limited to a full-screen shift".

The introduction of "a second display window having a second field of view" in claim 19 is anticipated by Berstis's disclosure of plural windows in the arrangement of items 32, 34. The "second display window" has the same "sub-border structure" controls as the "main display", these controls having been treated in the discussion above.

As per independent claim 21's "displaying on a display of a computer a page of the website" and "during the displaying step, automatically scrolling the page" (see also independent claim 31), this is the result of Berstis's automatic scrolling at the edge of the window, once the user has entered positioning commands at that location. As a result of this operation, Berstis's user will then see continued display of content, "while the user of the computer does nothing". As in independent claim 31 in particular, it will "push and allure navigation" by its presentation.

As per claims 23, 33, Berstis, in extending to a "website", will inherently show some form of "home page", as at least a default upon opening.

Concerning claims 27, 36, Berstis's "website" applicability means that a shown "page includes at least two independent windows" (Figure 2 item: 32-34), and in operations upon these, "automatically scrolling independently the at least two independent windows" (claims 28, 37) becomes an inherent result. By selective operations via the cursor, it becomes possible for this independent scrolling to occur "at

a first speed" in the "first" and "a second speed different from the first" (claims 29, 38) in the "second". Such selection also permits "manually scrolling" one window and "continuously, automatically scrolling a second" (claims 30, 39).

3. Applicant's arguments filed 6 April 2007 have been fully considered but they are not persuasive.

Applicant continues to argue the point, as at page 13 of the response, that in the claims, "scrolling is performed without user input", while "Berstis in contrast requires that a remote pointing device be operated by the user in order to scroll". However, the claims all permit user input to move the cursor, and it is only this kind of input that is needed, to then cause a "continued" scrolling operation of the window. This is "in direct response to the placement of the cursor as claimed".

Other arguments, concerning claims 6, 14, 20, 25, 35, have been found to be persuasive; please note below the indication that such claims would be passed to issue, if presented in independent claim form.

4. Claims 6, 14, 20, 22, 24 – 26, 32, 34 – 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Upon reconsideration of these claims, the Examiner deems the limitations, when taken as part of the invention as a whole, are not taught nor suggested by the art of record, and most notably, Berstis.

There is no real teaching of the use of a "left key of a mouse" (claim 6) for resuming a scroll.

The "content" that is a "page" comprising "at least one link to additional linked information, and wherein the computer is further configured to automatically retrieve and display the additional linked information" (claim 14) is not a part of the scroll set-up of a reference like Berstis.

Claim 20, which now calls for all of the "button" controls, does not find counterpart in the scrolling and paging of the prior art of record.

Claim 22 (and see also claim 32), which "displays navigational links for alluring the user to further navigate to a category or to a sub-category" is not taught nor suggested by the more basic scroll arrangements of references like Berstis, as are not the "blinking links in the page" (claims 25, 35), from which activation will "automatically and sequentially retrieve additional information".

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

During an update search, the Examiner noted the relevance of multiple-screen scrolling that occurs in Harrison et al. (US #6,912,694 B1).

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any



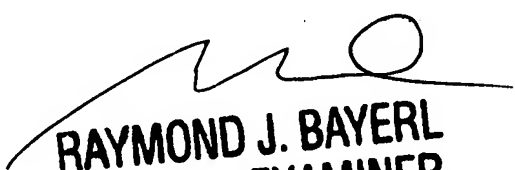
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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Raymond J. Bayerl, whose telephone number is (571) 272-4045. The Examiner can normally be reached on M – Th from 9:00 AM to 4:00 PM ET.

8. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kristine Kincaid, can be reached at 571-272-4063. All patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (571) 273-8300.

9. Any inquiry of a general nature or relating to the status of this application of proceeding should be directed to the receptionist, whose telephone number is (571) 272-2100.

  
RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2174

14 June 2007